

5. Provider Qualifications

The Family and Social Services Administration (FSSA) has assured the Centers for Medicare and Medicaid Services that the standards of any State licensure or certification requirements will be met for services or for individuals furnishing services provided under the waiver.

Each individual found eligible for the waiver will be given free choice of qualified providers of each service included in his or her written plan of care.

5.1 Residential Habilitation and Support/Community Habilitation and Participation

The following provider types may become certified as Residential Habilitation/Support and Community Habilitation/Participation providers under the DD Waiver:

- Community developmental disabilities agencies, programs, or individuals approved under IC 12-11-1.1;
- Community developmental disabilities agencies accredited by the Commission of Accreditation of Rehabilitation Facilities (CARF);
- Licensed home health agencies per IC 16-27-1;
- Qualified individual practitioners; and
- Qualified family members.

Staff of agencies, individual practitioners, and family members must meet all of the following requirements:

- Be at least 18 years of age;
- Demonstrate the ability to communicate adequately to complete required forms and reports of visits, to follow verbal/written instructions;
- Have the ability to communicate effectively and cooperatively;
- Have the ability to provide services according to a Plan of Care;
- Be willing to accept supervision'
- Have successfully completed applicable training from a qualified provider agency or from the Indiana Division of Disability, Aging and Rehabilitative Services, or have previous experience as an aide in a home health agency, hospital, long-term care facility, or experience serving people with developmental disabilities. (This is not a requirement for

individuals who otherwise qualify to provide services to a family member.)

- Have current Cardiopulmonary Resuscitation certification and first aid training;
- Be in adequate physical health to perform the job tasks required;
- Be free from communicable diseases with negative tuberculosis test or chest X-ray within 30 days prior to beginning service;
- Have an interest in and empathy for persons with developmental disabilities;
- Have interpersonal skills necessary to work productively with consumers;
- Criminal background check shows no history of:
 - a) Abuse or fraud in any setting;
 - b) Substantial and/or repeated violations in the operation of a residential or health care facility'
 - c) Conviction of a crime related to the disabled population;
 - d) Substantial and/or repeated violations in the care of dependent persons.

5.1.1 Drivers

See Transportation Qualifications 5.17.

5.2 Respite Care

The following provider types may be certified to provide Respite Care under the DD Waiver:

- Community developmental disabilities agencies, programs and individuals per IC 12-11-1.1;
- Licensed home health agencies per IC 16-27-1;
- Certified Adult Day Service providers;
- Non-private specialized residential settings approved by the Indiana Bureau of Developmental Disabilities Services;
- Qualified individual practitioners;
- Qualified family members.

Staff of agencies, individual practitioners and family members must meet all of the following requirements:

- Be at least 18 years of age;
- Demonstrate the ability to communicate adequately to complete required forms and reports and to follow written directions;
- Be skilled in the type of service to be provided;

- Be free of physical limitations which interfere with job performance;
- Be free of communicable diseases with negative tuberculosis test or chest X-ray with 30 days prior to beginning services;
- Have good communication and interpersonal skills and the ability to deal effectively, assertively, and cooperatively with a variety of people;
- Have the ability to provide services according to a Plan of care;
- Have received training in the needs of the person who will be provided the service;
- Be willing to accept training and supervision;
- Criminal background check shows no history of
 - a) Abuse or fraud in any setting;
 - b) Substantial and/or repeated violations in the care of disabled persons;
 - c) Conviction of a crime related to the disabled population;
 - d) Substantial an/or repeated violations in the operation of a residential or health care facility.
- Have current CPR certification and first aid training;
- Have completed any applicable training provided by the Indiana Division of Disability, Aging, and Rehabilitative Services when available. (This is not a requirement for individuals who otherwise qualify to provide services to a family member.);
- Individual practitioners providing Respite Care will be monitored by either the case manager or a qualified agency.

5.3 Prevocational Services

Prevocational Services are provided by Community Developmental Disabilities Agencies under IC 12-11-1.1 or accredited by CARF.

5.4 Supported Employment

Supported employment services are provided by Community Developmental Disabilities Agencies under IC 12-11-1.1 or accredited by CARF, or Community Mental Health Centers under IC 12-25-1.

5.5 Health Care Coordination

Health Care Coordination is provided by and RN or LPN licensed under IC 25-23-1.

5.6 Family and Caregiver Training

Family and Caregiver Training may be provided by individuals, agencies, or educational institutions that have demonstrated expertise in the topic of the training identified in the Plan of Care. Family and Caregiver Training may be provided through seminars, courses, and conferences organized by agencies or educational institutions. Individual training may also be provided by practitioners with experience in or demonstrated knowledge of the training topic such as psychologists, teachers, social workers, medical personnel including home health aides, attendant care and personal assistance providers, therapists, educators and providers of other services such as day, vocational, and residential habilitation.

The following provider types may be authorized to provide Family and Caregiver Training to waiver recipients;

- Qualified staff of educational institutions;
- Qualified staff of home health agencies licensed under IC 16-27-1
- Programs, agencies, individuals approved by the Bureau of Developmental Disabilities Services under IC 12-11-1.1;
- Qualified staff of community mental health centers under IC 12-25;
- Qualified staff of public health/human services agencies;
- Qualified staff of hospitals, clinics, or other agencies and organizations;
- Qualified individual providers.

Qualified individual practitioners include licensed personnel such as RNs, LPNs, psychologists, speech therapists, occupational therapists, and physical therapists. Individual non-licensed practitioners may qualify to provide services if they have the education, training, or experience directly related to the specified needs of the individual as described in the Plan of Care. Individual practitioners will be supervised by the client/guardian and case manager.

5.7 Physical Therapy

Physical therapy must be provided by a licensed physical therapist or a physical therapist's assistant under the direct supervision of a physical therapist or physician as defined at IC 25-27-1.

5.8 Occupational Therapy

Occupational therapy must be planned and directed (and may be delivered) by an occupational therapist licensed under IC 25-23.5-1. An occupational therapy assistant (IC 25-23.5-1-6) under the direct supervision of an occupational therapist, or an occupational therapy aide (IC 25-23.5-1-5.5) under the direct supervision of an occupational therapy assistant or occupational therapist may assist in the delivery of occupational therapy.

5.9 Speech/Language Therapy

Speech/language therapy must be provided by a speech-language pathologist, licensed under IC 25-35.6-1 or a speech/language pathology aide (IC 25-35.6-1-2) under the direct supervision of a licensed language/speech pathologist.

5.10 Recreational Therapy

To provide recreational therapy, individuals must hold a Bachelor's degree in therapeutic recreation, or in recreation with a concentration in therapeutic recreation and be certified by the National Council for Therapeutic Recreation Certification.

5.11 Music Therapy

Music therapists must be certified by the National Association of Music Therapists.

5.12 Psychological Therapy

Psychological therapy must be provided by a psychologist licensed under IC 25-33-1-1.1, or a certified marriage/family therapist who is supervised by a licensed psychologist or a certified social worker/certified clinical social worker who is supervised by a licensed psychologist.

5.13 Nutritional Counseling

Nutritional counseling must be provided by a dietitian certified under IC 25-14.5-1.

5.14 Enhanced Dental Services

Dental services are provided by a dentist licensed under IC 12-14-1.

5.15 Behavior Management/Crisis Intervention

Behavior management providers must be:

Level 1 Clinicians:

A Doctoral level Psychologist with HSPP license in Indiana; or
At least an MA level clinician with a degree in a behavioral science, Special Education, or Social Work with 5 years documented direct contact experience working specifically with the DD population inclusive of experience: devising, implementing and monitoring behavior support plans; supervision and training of others in the implementation of behavior plans; or

Level 2 Clinicians: (must be supervised by a Level 1 Clinician)

An MA level graduate with a degree in Psychology, Special Education or Social Work that does not meet the above qualifications; or

A BA level clinician who was employed as a Behavioral Consultant by a certified provider on or before 9/30/2001, and is making reasonable progress toward a qualifying Masters degree to be completed by 12/31/2006.

All Behavior Support Plans and Behavior Guidelines require the review signature of a Level 1 Clinician. All Clinicians providing Behavior Management supports are required to obtain a minimum of 10 CEU's annually or be enrolled in a qualifying MA or Doctoral program.

Individuals implementing behavioral services must be supervised by either a Level 1 or 2 Clinician or QMRP.

5.16 Environmental Modifications **Specialized Medical Equipment and Supplies** **PERS Assessment/Supply/Inspection/Train**

Qualified providers may be:

Licensed (where applicable)/certified housing contractor;

- Plumber licensed under IC 25-28.5-1;
- Electrician;
- Architect licensed under IC 25-4-1-2;
- Rehabilitation engineer;

- An Associate's Degree in architectural drafting or 2 years experience in architectural drafting under the supervision of a degreed draftsman; and
- A minimum of one year experience working with physically disabled individuals on accessibility and adaptive equipment needs for the purpose of maximizing their safety and independence.
- Licensed physician, nurse, OT, PT, ST, Audiologist
- Home health care and medical equipment suppliers/retailers;
- Hearing aid dealers under IC 25-20-1-1;
- Individuals or businesses known to be in the business of vehicle modification

Other standards:

- Compliance with applicable federal/state/local requirements for licensure and/or certification;
- Services must be in compliance with federal/state/local codes relative to the type of modification made or assistive device provided;
- Working knowledge of ADA regulations as they apply to structural and individual safety;
- Bonding/liability insurance if applicable;
- Workmanship must be warranted for at least 90 days; and
- Providers that supply a service for a particular individual, may not perform the assessment/write specifications, and/or inspect the service for that individual.

5.17 Transportation

The following provider types may be certified to provide transportation services to waiver recipients.

- Community developmental disabilities provider agencies approved by the Bureau of Developmental Disabilities Services under IC 12-11-1.1;
- Community Mental Health Centers per IC 12-25;
- Licensed child care centers per IC 12-17-2-4;
- Certified Adult day Service providers;
- Qualified public and private carriers per IC 9-24-1-3;
- Qualified individuals.

Individual personnel providing transportation must meet the following requirements.

- Have a valid Operator's license under IC 9-24-1-1 for individuals using private vehicles;
- Have a valid Chauffeur's license under IC 9-13-2-21 or an Indiana Public Passenger Chauffeur's license when driving a vehicle designed to transport fewer than 15 people (IC 9-24-1-3);
- Have a valid Indiana Commercial Driver's License when operating a vehicle designed to transport a minimum of 15 people. (IC 9-13-2-31);
- Have a safe, legal driving record;
- Have auto insurance, including liability insurance;
- Have properly maintained vehicles.
-

5.18 Adult Day Services

An Adult Day Service facility may be certified to provide services when it has been determined by DDARS that the facility meets the standards and guidelines established by DDARS in June 2001.

5.19 Generic Providers

Generic providers are those organizations, companies, and community services that are available to the public and are not necessarily considered part of the "typical" human services system. For example, the services of a CPA in teaching money management, the use of a cleaning service to provide chore services, or the use of the League of Women Voters to teach civic duties would be considered generic resources. These organizations, companies and services are not licensed not certified by the human services system. They of course meet any applicable organizational or business codes generally enforced by the state or federal government. In order to widen the resources available to waiver participants, individuals may purchase needed supports and services from organizations other than traditional human service organizations where appropriate and financially sensible.

5.20 Individual, Independent (non-agency based) Providers

Any individual providing a service or support must either have or receive training commensurate with the service or support to be delivered. For professional services under skilled services, the

individuals must also meet any applicable state licensing or certification requirements.

For services that do not require licensure or certification, the planning team, including the individual, guardian, case manager, and other individuals and professional as are appropriate, will assess the skills of potential individual providers. The team will decide, and assure that the individual has the experience, skills, training and knowledge appropriate to the person and the type of support or services being delivered. This standard is intended to be used with providers of services such as homemaker, chore services or individuals providing support for community-based socialization and recreation services.

5.21 Parents/Family Members as Service Providers

A parent or family member* (excluding a spouse) or legal guardian may provide and be reimbursed for waiver service(s) (including those living in the same home) if all of the following are met:

- The individual receiving services is at least 18 years of age;
- The parent, or family member is employed by an agency that is certified to provide care under the waiver;
- The parent or family member meets appropriate provider standards for the service(s) being provided;
- The decision for the parent or family member to provide services is part of the Person Centered Planning Process, which indicates that the parent or family member is the best choice of providers;
- There is adequate justification as to why the parent or family member is providing service;
- The decision for a parent or family member to provide services is evaluated periodically to determine if it continues to be in the best interest of the individual;
- Payment is made only in return for specific services rendered; and
- The services must be one-on-one with the individual. The parent or family member may not be responsible for others, including their (other) children, nor engaged in other activities while providing services.

Parents/family members may provide services to minor children (under age 18) or spouses for extraordinary services requiring

* Family member is defined as someone related by blood or by marriage to any degree, excluding spouses.

specialized skills, such as physical therapy or skilled nursing, which such people are not legally obligated to provide. All of the conditions listed above must be met with the exception of the age of the individual receiving services. Legal guardians of children under 18 may not receive payment for skilled or unskilled services.

5.22 Adult Foster Care

Adult Foster Care providers must be community developmental disabilities provider agencies approved by BDDS per IC 12-11-1.1.

Personnel Qualifications

- Be at least 18 years of age;
- Be a high school graduate or have a GED and demonstrate the ability to communicate adequately to complete required forms and reports and to follow directions;
- Have successfully completed appropriate training;
- Be in adequate physical health to perform required tasks;
- Be free from communicable disease, with a negative TB test or chest X-Ray within 30 days prior to beginning services;
- Have an interest in and empathy for persons with developmental disabilities;
- Criminal background check shows no history of
 - a) Abuse or fraud in any setting;
 - b) Substantial and/or repeated violations in the care of disabled persons;
 - c) Conviction of a crime related to the disabled population;
 - d) Conviction of a violent crime;
 - e) Substantial and/or repeated violations in the operation of a residential or health care facility;
- Possess interpersonal skills necessary to work productively and cooperatively with individuals.